

3431. Adulteration and misbranding of whisky. U. S. v. Pure Food Distilling Co. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 4668. I. S. No. 17380-d.)

On April 21, 1914, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Pure Food Distilling Co., a corporation, St. Louis, Mo., alleging shipment by said company in violation of the Food and Drugs Act, on or about April 10, 1912, from the State of Missouri into the State of Illinois, of a quantity of whisky which was adulterated and misbranded. The product was labeled: "Absolutely Pure Pure Food Distilling Company Guaranteed under the National Pure Food Law, June 30, 1906." "Old Ancestry Whiskey A Pure Straight Whiskey No Blend No Compound No Imitation Pure Food Distilling Co. St. Louis, Mo."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Proof-----	75.5
Solids (grams per 100 liters, 100° proof)-----	647.4
Acids (grams per 100 liters, 100° proof)-----	23
Esters (grams per 100 liters, 100° proof)-----	15.8
Aldehydes (grams per 100 liters, 100° proof)-----	2
Furfural (grams per 100 liters, 100° proof)-----	0.13
Fusel oil (grams per 100 liters, 100° proof)-----	37
Total color (degrees Lovibond, 0.5 inch cell, to 100° proof)-----	21
Color insoluble in amyl alcohol (per cent)-----	72
Color insoluble in water (per cent)-----	0

Adulteration of the product was alleged in the information for the reason that a substance, to wit, water, had been mixed and packed with it so as to reduce and lower and injuriously affect its quality and strength; and further in that a substance, to wit, water, had been substituted wholly or in large part for the article whisky.

Misbranding was alleged for the reason that the statement "A Pure Straight Whiskey," borne on the label as aforesaid, was false and misleading, because it misled and deceived the purchaser into the belief that said product was a pure straight whisky, whereas, in truth and in fact, it was not a pure straight whisky, but was an article consisting of neutral spirits or redistilled spirits artificially colored and reduced with water to 75.5° proof; and said article was further misbranded in that it was labeled and branded so as to mislead and deceive the purchaser, being labeled and branded "A Pure Straight Whiskey," whereas, in truth and in fact, said product was not a pure straight whisky, but was a mixture of neutral spirits or redistilled spirits and water reduced to a much lower proof than pure straight whisky.

On July 7, 1914, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *September 24, 1914.*

3432. Adulteration and misbranding of so-called apple brandy and so-called peach brandy. U. S. v. Kellerstrass Distilling Co. Plea of guilty. Fine, \$100 and costs. (F. & D. No. 4764. I. S. Nos. 16189-d, 16191-d.)

On December 11, 1913, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against